

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: ASBESTOS PRODUCTS	:	Consolidated Under MDL
LIABILITY LITIGATION (No. VI)	:	875
VARIOUS PLAINTIFFS	:	
	:	
v.	:	
	:	
VARIOUS DEFENDANTS	:	Cases listed in Exhibit
	:	"A" (see attached)

**FILED**  
JUL 23 2013  
MICHAEL E. KUNZ, Clerk  
By \_\_\_\_\_ Dep. Clerk  
O R D E R

AND NOW, this 22<sup>n</sup> d day of July, 2013, it is hereby  
ORDERED that a Rule is ISSUED for counsel to show cause why all  
pending motions in each of the identified actions should not be  
denied without prejudice, and new scheduling orders and briefing  
schedules entered in these actions.<sup>1</sup>

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<sup>1</sup> In reviewing the cases identified in Exhibit "A" for  
disposition of summary judgment motions, the Court finds a great  
deal of disarray with the parties' discovery requests and  
responses, as well as confusing motions. This includes responses  
that appear to be untimely and/or incomplete by Plaintiffs,  
and/or a failure by defendants to file motions to compel proper  
responses in these cases.

The Court finds that, given the procedural history of  
these cases, the substantive issues presented cannot be resolved  
on their merits based upon the current records. For example, it  
is not always clear which discovery requests the discovery  
responses correspond to, whether those responses are timely  
and/or complete, or whether defendants have moved (either in a  
timely fashion or otherwise) to compel responses or to object to  
responses served upon them. It is not clear in the responses  
styled as "supplemental" which responses are being supplemented.

The efficient administration of these cases, and the  
interests of justice, require that a new scheduling order be  
issued in each case with deadlines for discovery requests and  
responses to be made, and dispositive motions to be filed and  
responded to by the Plaintiff(s). Strict compliance with the  
scheduling orders will ensure that the issues are presented to

The Rule is returnable by the filing of a written response in **each action** by **Friday, August 23, 2013.**<sup>2</sup> A party's failure to file a written response in a given case will be construed as that party's not opposing the issuance of a new scheduling order and briefing schedule in that case.

A hearing will be held on this matter on **Wednesday, September 4, 2013, at 2:00 P.M.**, in Courtroom **15A**, James A. Byrne United States Courthouse, 601 Market Street, Philadelphia, Pennsylvania 19106.

It is further **ORDERED** that all cases identified on Exhibit "A" are hereby **STAYED** until further order by the Court.

**AND IT IS SO ORDERED.**



EDUARDO C. ROBRENO, J.

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the Court in an orderly and reasonable manner.

<sup>2</sup> Written submissions by the parties in each case shall be filed on the docket for that particular case. In other words, no omnibus written submissions are to be filed on the 01-875 docket or elsewhere.

EXHIBIT A

Case Number	Transferor District	Case Name
08-88250	IN-S	Reed v. Anchor Packing Company et al
08-88411	IN-S	Dice et al v. The Anchor Packing Company et al
08-89340	IL-S	Austin v. Cinery Corp. et al
08-89372	IL-S	Mann v. Anchor Packing Company, The et al
08-89381	IL-S	Mcfarland v. Ac&S et al
08-89446	IL-S	Cook v. Ac&S Inc et al
08-89498	IL-S	Goff v. Ac&S Inc et al
08-89791	IL-N	Bartlett et al v. Acands Inc
08-89825	IL-N	Rome v. A.C. And S. Inc. et al
08-89863	IL-N	Haffner v. A.C. And S. Inc.
08-89865	IL-N	Menozzi v. A.C. And S. Inc. et al
08-89969	IL-N	Czajkoski v. A. C. And S. Inc et al
08-89984	IL-N	Brigham v. A C And S, Inc. et al
08-90122	IL-N	Phyllis v. A.C.Ands., Inc. et al
08-90132	IL-N	Jones v. A C And S., Inc. et al
08-90139	IL-N	Graham v. A.C. And S., Inc. et al
08-90166	IL-N	Willey v. Ac&S Inc et al
08-90189	IL-N	Surges et al v. A. C. and S., Inc. et al
08-90201	IL-N	Hollins v. A.C. and S. Inc. et al
08-90234	IL-N	Ferguson v. A.C. And S., Inc. et al
08-90263	IL-N	Jackson v. Ac&S Inc et al
08-90264	IL-N	Nordberg v. A.B.B., Inc. et al
08-90268	IL-N	Centers v. A. W. Chesterton Company et al
08-90287	IL-N	Smith v. Catepillar Inc et al
08-90465	IN-N	Percy v. Ac And S Inc et al
08-90732	IN-N	Wilson v. Ac And S Inc et al
08-91052	IN-N	Weber v. Ac And S Inc et al
08-91089	IN-N	Childs v. Ac And S Inc et al
08-91090	IN-N	Holme v. Ac And S Inc et al
08-91729	IL-C	Bugg v. Anchor Packing Company et al
08-91742	IL-C	Schurtz v. Acands Inc et al
08-91881	IL-C	Taylor v. Acands Inc et al

Case Number	Transferor District	Case Name
08-91882	IL-C	Spangler v. Allis-Chalmers Corporation et al
08-91888	IL-C	Hicks v. Acands Inc. et al
08-91893	IL-C	Nehlsen v. Acands Inc et al
08-91953	IL-C	Ayers v. Allis-Chalmers Corporation et al
08-92038	IL-C	Buchanan et al v. Armstrong Contracting & Supply Corporation. et al
08-92113	IL-C	Maulding v. Lewis Asphalt And Engineering Corp. et al
08-92120	IL-C	Graves v. Acands Inc et al
08-92122	IL-C	Johnson v. A C & S Inc et al
08-92136	IL-C	Walker v. A C And S Inc. et al
08-92157	IL-C	Hutchinson v. Acands Inc et al
08-92161	IL-C	Lawless v. A C And S Inc et al
08-92210	IL-C	O'Keefe v. Aga Gas Inc et al
08-92259	IL-C	Daniels et al v. Anchor Packing Company et al
09-60186	WI-W	Bolton v. Inc. Acands et al
09-60231	WI-W	Loeffelad et al v. A.W. Chesterton Company et al
09-60267	WI-W	Hass et al v. A.C. And S., Inc. et al
09-60287	WI-W	Esser v. A. C. And S., Inc. et al
09-60293	WI-W	Reno v. A.C. And S., Inc. et al
09-60329	WI-E	Dunne et al v. Anchor Packing Co et al
09-60331	WI-E	Bresnahan et al v. Anchor Packing Co et al
09-60440	WI-E	Jones et al v. Acands Inc et al
09-60444	WI-E	Lundahl v. Acands Inc. et al
09-60476	WI-E	Burns v. Acands Inc et al
09-60481	WI-E	Sienko v. Acands Inc et al
09-60520	WI-E	Miller v. Acands Inc et al
09-60523	WI-E	Reich v. Acands Inc et al
09-60547	WI-E	Jeske v. American Standard Inc et al
09-60550	WI-W	Junk, Sr. et al v. Dynegy et al
09-60939	IL-N	Engelman v. Acands, Inc. et al
09-61004	WI-W	Enerson v. Inc. Acands et al
09-61314	WI-E	Holcomb v. Acands Inc et al
09-61322	WI-E	Metzger v. Acands Inc et al

Case Number	Transferor District	Case Name
09-61333	WI-E	Nuutinen v. Acands Inc et al
09-61356	WI-E	Massey v. Acands Inc et al
09-61469	WI-E	Horton v. Anchor Packing Co et al
09-61487	WI-E	Reichert v. Anchor Packing Co et al
09-61499	WI-E	Waltenberg v. Anchor Packing Co et al
09-61544	WI-E	Kiepert v. Anchor Packing Co et al
09-61717	IN-N	Frankenberger v. Acands Inc et al
09-61820	IN-N	Ruesken v. The Anchor Packing Co., Et. Al.
09-62185	WI-W	Vradenburg v. The Anchor Packing Company, et al
09-62583	IL-N	Woods v. Cbs Corporation et al
09-64609	IN-S	Giuliano v. A C And S Inc. et al
09-64701	IN-S	Willocks v. A C And S Inc et al
09-64733	IN-S	Stephens v. A C And S Inc et al
10-61115	WI-E	Bennington v. Cbs Corporation et al
10-61341	WI-W	Campbell v. A.C.And S., Inc. et al
10-61349	WI-W	Pietrzycki et al v. A.C.And S., Inc. et al
10-61422	WI-W	Enos v. Asbestos Claims Management Corporation et al
10-61429	WI-W	Kumferman v. Asbestos Claims Management Corporation et al
10-61467	WI-W	Bartlett v. A.C. And S., Inc. et al
10-61865	WI-E	Suhaysik v. Acands Inc. et al
10-61885	WI-E	Gottsacker v. Acands Inc. et al
10-61896	WI-E	Zimmer v. Acands Inc. et al
10-61956	WI-E	Nelson v. Acands Inc et al
10-64567	IL-S	Collins v. Ac&S Inc et al
10-64584	IL-S	Emby v. Ac&S Inc et al
10-64585	IL-S	Deters v. Ac&S Inc et al
10-64606	IL-N	Louis v. Cbs Corporation et al
10-67443	WI-E	Ahnert et al v. Cbs Corporation et al
10-67533	IL-N	Carlson et al v. A.W. Chesterton Company et al
10-67545	IL-N	Carmichael v. Durabla Mfg Co. et al
10-67553	IL-N	Richardson v. Acands, Inc. et al
10-67555	IL-N	Kelley v. A. C. And S., Inc. et al



Case Number	Transferor District	Case Name
10-67621	IN-N	Arseneault v. Ac And S Inc et al
10-67785	WI-E	Conway v. Acands Inc et al
10-67817	WI-E	Boyea v. Acands Inc et al
10-67841	WI-E	Junk v. Acands Inc et al
10-68063	WI-E	Hakes v. AW Chesterton Company et al
10-68073	IL-C	Plue v. A C & S Inc et al
10-68097	IL-C	Nichols v. A W Chesterton Co et al
10-68110	IL-C	Lemke v. Ac And S Inc et al
10-68124	IL-C	Malone v. Ac & S Inc et al
10-68127	IL-C	Dover v. A C & S et al
10-68130	IL-C	Irons-Holtzman v. A C & S Inc et al
10-68864	IN-S	Partick v. The Anaconda Company et al
10-68902	IN-S	Cummings v. A C And S, Inc. et al
11-60064	WI-E	Herr et al v. Linde Inc et al
11-63518	WI-E	Muehlberger v. Cbs Corporation et al
11-64036	WI-E	Svatek v. Acands Inc et al
11-66288	IL-S	Unzicker v. A.W. Chesterton Company et al
11-66746	WI-E	Zellner v. Aw Chesterton Company et al
11-67767	IL-N	Bulanda v. Aw Chesterton Company et al
12-60003	WI-E	Jurglanis v. Borg-Warner Inc et al
12-60004	WI-E	Spychalla v. Avco Corporation et al
12-60020	WI-E	Krueger v. Acands Inc et al
12-60049	IL-N	Pehlke v. A.O. Smith Corporation et al
12-60160	IL-N	Mcenair v. Borg-Warner, Inc. et al

**EMAILED:**

ADAM JAGADICH	EMILY ZAPOTOCNY	LISA DILLMAN
AHNDREA VANDENELZE	ERIC CARLSON	M. GRANT
ALLEN VAUGHAN	GARY SMITH	MAJA EATON
AMANDA SUMMERLIN	GEORGE KISER	MARK FELDMANN
AMIEL GROSS	GERMAINE WILLETT	MARK LUDOLPH
ANDREW DETHERAGE	GREGORY COCHRAN	MARK SAMPSON
BASIL DISIPIO	GREGORY GOLDBERG	MARK TIVIN
BRADLEY BULTMAN	GREGORY LYONS	MARTIN SCHWARTZ
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BRIAN WATSON	JAMES BOYERS	MATTHEW FISCHER
BRYAN SKELTON	JAMES CARTER	MICAH INLOW
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DANIEL GRIFFIN	JOHN LAFFEY	RICHARD LAUTH
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DANIEL MULHOLLAND	JON BAROOSHIAN	ROBERT PISANI
DANIEL TRACHTMAN	JONATHAN MATTINGLY	ROBERT RILEY
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DAVID FANNING	JOSEPH REJANO	ROBERT SCHROEDER
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DONALD ORZESKE	KIRK HARTLEY	SARAH MILLER
DOUGLAS KING	KNIGHT ANDERSON	SARAH PAGELS
DOUGLAS PROCHNOW	KRISTINA LEMANSKI	SCOTT HENRY
EDWARD CASMERE	KURT REITZ	SCOTT SIMPKINS
EDWARD CRANE	KURTIS REEG	SEAN SHEEHAN
EDWARD KENNEY	LANCE MUELLER	SHAWANE LEE
EDWARD MACCABE	LAURIE MCLEROY	SHAWN BABIUCH
EDWARD MCCAMBRIDG	LILLIAN MA	SHEHZAD HASAN

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THOMAS GILLIGAN  
THOMAS GONZALEZ  
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THOMAS KERNELL

THOMAS NORBY  
THOMAS ORRIS  
THOMAS SCHRIMPF  
THOMAS TARDY  
THOMAS THIBODEAU  
TIFFANY TURNER  
TIMOTHY KAPSHANDY  
TIMOTHY KRIPPNER  
TIMOTHY PAGEL  
TIMOTHY PIKE  
TOBIN TAYLOR

TREVOR WILL  
WALTER JENKINS  
WALTER WATKINS  
WARD BROWN  
WILLIAM CROKE  
WILLIAM MAHONEY  
WILLIAM SHULTZ  
WILLIAM SMITH  
WILLIS TRIBLER

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R. STOMMEL  
RICHARD BAKER  
RICHARD BOLTON  
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ROBERT HALEY  
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RUSSELL HOOVER  
STACEY SENECKZO  
STEPHEN KAUFMANN

STEPHEN KRAVIT  
STEPHEN MAASSEN  
STEVEN CELBA  
STEVEN SANDERS  
SUSAN GUNTY  
SUSAN HUNTER  
THADDEUS STANKOWSKI  
THOMAS MEYER  
THOMAS WILSON  
TIMOTHY FAGAN  
TIMOTHY UEBER  
VALERIE LIPIC  
VANI SINGHAL  
VICTOR LAZZARETTI  
W. WELSH  
WILLIAM EHRKE  
WILLIAM HASSLER  
WILLIAM MCGRATH  
ZANE LUCAS